

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CURTIS LEE HENDERSON,)
)
Plaintiff(s),) No. C 07-2838 SBA (BZ)
)
v.)
) **ORDER RE IN CAMERA REVIEW**
J. PETERSON, et al.,)
)
Defendant(s).)
_____)

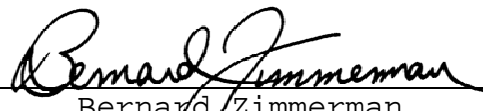
Based on the stipulation reached by the parties, Judge Armstrong referred to me the in camera review of the documents submitted by defendants in response to the following document requests from plaintiff: (1) "[a]ll complaints against Defendants concerning the use of force, excessive force, and failure to intervene and all documents concerning such complaints, including any documents adjudicating or resolving such complaints;" and (2) "[a]ll documents concerning any grievance, complaint, or appeal concerning the incident, including any documents resolving or adjudicating such grievances, complaints or appeals." Docket No. 149 at 1-2.

Defendants have submitted the following documents for

1 review: (1) the Use of Force Investigation, number IR# B05-06-
2 08-0328 (which is the internal investigation regarding the
3 incident); and (2) the Employee Performance sections of the
4 personnel files of James Peterson, Clay Speaker, Michael
5 Bullock, Jeffrey McBride, Glenn Kelley, and David Christ.
6 With respect to plaintiff's request for documents relating to
7 the incident, I find that the Use of Force Investigation is
8 responsive to plaintiff's request. There is no confidential
9 information in the Use of Force Investigation that would not
10 be adequately protected by the parties' protective order.
11 Furthermore, I find that there are no complaints against
12 defendants concerning force, excessive force, and failure to
13 intervene in the Employee Performance sections of defendants'
14 personnel files.

15 **IT IS THEREFORE ORDERED** that defendants produce the Use
16 of Force Investigation, number IR# B05-06-08-0328 to plaintiff
17 by **Monday, March 28, 2011** under the terms of the parties'
18 protective order.

19 Dated: March 24, 2011

20 

21 Bernard Zimmerman
United States Magistrate Judge

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23 G:\BZALL\REFS\HENDERSON (R&R)\ORDER RE DEFENDANTS' PERSONNEL FILES AND
INTERNAL INVESTIGATION DOCS.BR VERSION.wpd
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